

## EIGHTH DAY

(Tuesday, January 26, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hoskins
Adkins	Howard
Alexander	Huddleston
Alsup	Hull
Amos	Hyder
Baker	Jackson
Bates	James
Beckworth	Johnson of Ellis
Bell	Johnson
Boethel	of Tarrant
Bond	Jones of Atascosa
Boyer	Jones of Falls
Bradbury	Jones of Wise
Bradford	Keefe
Bridgers	Kenyon
Brown	Kern
Burton	King
Cagle	Knetsch
Callan	Langdon
Carssow	Lankford
Cathey	Lanning
Cleveland	Leath
Colquitt	Leonard
Davis of Haskell	Leyendecker
Davis of Jasper	Little
Davison of Fisher	Loggins
Davison	London
of Eastland	Lucas
Dean	Mann
Deglandon	Mauritz
Derden	Mays
Dickson	McConnell
Dollins	McCracken
England	McDonald
Farmer	McFarland
Felty	McKee
Fielden	McKinney
Fox	Moffett
Fuchs	Monkhouse
Gibson	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Pope
Hartzog	Powell
Heflin	Prescott
Herzik	Quinn
Holland	Ragsdale

Reader	Smith of Tarrant
Reed of Bowie	Stevenson
Rhodes	Stocks
Riddle	Talbert
Roark	Tarwater
Ross	Tennant
Russell	Tennyson
Rutta	Thornberry
Schuenemann	Thornton
Settle	Vale
Sewell	Waggoner
Sharpe	Walker
Shell	Weldon
Simpson	Winfree
Skaggs	Wood
Smith of Hopkins	Worley
Smith	
of Matagorda	

## Absent-Excused

Blankenship	Kelt
Broadfoot	Metcalf
Celaya	Reed of Dallas
Graves	Stinson
Jones of Angelina	Westbrook
Keith	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Graves for today, on motion of Mr. Heflin.

Mr. Celaya for today, on motion of Mr. Harris of Dallas.

The following Members were granted leaves of absence on account of illness:

Mr. Broadfoot for today, on motion of Mr. Carssow.

Mr. Stinson for today, on motion of Mr. Hankamer.

Mr. Jones of Angelina for today, on motion of Mr. London.

Mr. Hanna for today, on motion of Mr. Smith of Tarrant.

Mr. Metcalfe for today, on motion of Mr. Morris.

Mr. Blankenship for today, on motion of Mr. McDonald.

Mr. Westbrook for today, on motion of Mr. Oliver.

Mr. Kelt for today, on motion of Mr. Callan.

Mr. Reed of Dallas for today, on account of a death in his family, on motion of Mr. Reed of Bowie.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McFarland and Mr. Walker:

H. B. No. 261, A bill to be entitled "An Act defining the term 'taxing unit,' and providing that in any suit brought by or in behalf of any taxing unit for delinquent taxes other taxing units having delinquent tax claims against the property may be impleaded or may intervene; and providing for the nature, character and contents of citation upon defendants, and service thereof; and providing for the adjudication of the reasonable fair value of the property; and providing for court costs, expenses of sale and expenses in procuring necessary data and information for filing such suits; and providing for procedure in such suits; and providing for citation and service upon absent, non-resident and unknown defendants; and providing for publication notice; and providing that if property be sold under decree in such a suit to any taxing unit which is a party to said suit, title to same shall be bid in and held by the taxing unit purchasing same for the use and benefit of itself and all other taxing units in said suit, in proportion to the amount of tax liens held by said taxing units against such property as established by judgment in said suit; and providing the manner and price at which such property may be sold by the taxing unit purchasing same; and providing for the manner of distributing the proceeds of such property when sold; and providing the manner and price at which property may be sold for taxes under decree in such suit to the owner, directly or indirectly, or to anyone having an interest therein, or to any party other than a taxing unit which is a party thereto; and providing for the distribution of the proceeds of such sale; and providing that the purchaser of property sold for taxes in such suit should take title clear of all liens or claims for taxes delinquent at the time of judgment and belonging to any taxing unit which was a party to said suit or had been served therein; and providing for precedence and priority

of such delinquent tax suits in the district and appellate courts; and providing for issuance of writ of possession and redemption of property sold for taxes; and in case the governing body of any taxing unit shall fail within sixty (60) days after taxes become delinquent to sue for collection, and in case such delinquent taxes were levied to meet requirements of outstanding obligations of such taxing unit, providing certain remedies for holders of such obligations; and providing that if any part or portion of the Act be in conflict with any part or portion of any law of the State, the terms and provisions of this Act shall govern, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Petsch:

H. B. No. 262, A bill to be entitled "An Act making certain emergency appropriations for the office of the Secretary of State, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Stinson, Mr. Dickison, Mr. Carssow, Mr. Reader, Mr. Hardin, Mr. Felty, Mr. McCracken, Mr. Jones of Falls, Mr. Dollins, Mr. Jackson, Mr. Cagle, Mr. Smith of Tarrant, Mr. McConnell, Mr. Morse, Mr. Fielden, Mr. Fox, Mr. Hyder, Mr. Settle, Mr. Johnson of Tarrant, Mr. Bond, Mr. Tennant, Mr. Colquitt, Mr. Harris of Dallas, Mr. Blankenship, Mr. Langdon, Mr. McKee, Mr. Heflin, Mr. Reed of Bowie, Mr. Reed of Dallas and Mr. Bradbury:

H. B. No. 263, A bill to be entitled "An Act to exempt from taxation the property owned or used exclusively and reasonably necessary in conducting any association engaged in promoting threefold religious, educational and physical development of boys and girls, young men and young women, operating under a State or national organization of like character, and all endowment funds of such institutions, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Baker, Mr. King, Mr. Loggins, Mr. Herzik, Mr. Walker, Mr. Harper, Mr. Thornton, Mr. Amos, Mr. Heflin, Mr. Bates, Mr. Cleveland, Mr.

Talbert, Mr. Langdon and Mr. Boethel:

H. B. No. 264, A bill to be entitled "An Act amending Article 5422, Revised Civil Statutes of Texas, 1925, providing the time of meeting of the Legislature and providing that at any special called session of the Legislature after the general election on November 3rd of any year, that the newly elected Members at said general election may appear and qualify, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Pope, Mr. Shell, Mr. Vale, Mr. Celaya, Mr. Leonard, Mr. Leyendecker, Mr. Mauritz, Mr. Boethel, Mr. Hartzog and Mr. Jones of Atascosa:

H. B. No. 265, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts for the purpose of constituting and organizing courts of civil appeals therein; creating the Twelfth Supreme Judicial District of Texas, with Corpus Christi as the site of said court; providing for the appointment and qualification of the judges of said Twelfth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Twelfth Supreme Judicial District of Texas; making appropriation for support of said court, and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Dean:

H. B. No. 266, A bill to be entitled "An Act to amend Article 5483 and 5486, Chapter 5, Title 90, of Revised Civil Statutes of 1925, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Kern, Mr. Beckworth and Mr. Prescott:

H. B. No. 267, A bill to be entitled "An Act declaring it unlawful to publish or disseminate or cause to be published or disseminated within the State of Texas any advertisement intended to induce the use or consumption of alcoholic liquors; defining intoxicating liquor; providing a penalty for the violation of this Act; repeal-

ing all laws in conflict, and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Jones of Angelina:

H. B. No. 268, A bill to be entitled "An Act making it unlawful to kill squirrels in Angelina and Tyler Counties, Texas, during the month of July; declaring it unlawful for any person to kill, take or have in his possession for purpose of sale any wild fox or the pelts thereof; providing that this law shall be in force for a period of two years; prescribing a penalty for the violation of the provisions of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Brown, Mr. Jackson, Mr. Ross and Mr. Thornton:

H. B. No. 269, A bill to be entitled "An Act providing that all delinquent taxes shall be paid in the order in which they become due; providing that the receipt issued by the Tax Assessor-Collector for the payment of taxes for any particular year shall be evidence of the fact that taxes for all previous years have been paid; providing that the Tax Collector-Assessor shall be liable on his official bond to any person relying on such receipt for any damage resulting from such reliance thereon; repealing all laws and parts of laws in conflict; declaring the terms of this Act to be severable, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. James:

H. B. No. 270, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas for the State Treasury Department for the balance of the fiscal year ending August 31, 1937, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Cagle:

H. B. No. 271, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State In-

stitutions of Higher Learning in the State of Texas, authorizing the expenditure of said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. James:

H. B. No. 272, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas for the State Treasury Department for the balance of the fiscal year ending August 31, 1937, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Holland:

H. B. No. 273, A bill to be entitled "An Act to grant Mrs. Buelah Baker McFarland and husband, A. C. McFarland and A. D. Baker and wife Alty Baker of Bell County, Texas, permission to bring suit against the State of Texas and the State Highway Department for damages for personal injuries received by and the death of Robert Baker on account of the alleged negligence of the State Highway Department and of its employees while Robert Baker was employed on construction work on State Highway No. 2, in Bell County, Texas; providing for place of venue; providing such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; providing for contingent appropriation to pay any judgment recovered, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Roark and Mr. Holland:

H. B. No. 274, A bill to be entitled "An Act requiring railroad companies, receivers or lessees thereof to equip all cabooses with electric marker lights and light for use of conductor or other person in charge of train to handle orders, way-bills and other necessary papers; providing this Act shall become effective on January 1, 1938, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Boyer:

H. B. No. 275, A bill to be entitled "An Act to provide for the repurchase

of land located in Dallam and Hartley Counties heretofore set apart to build the Capital of the State of Texas, that has been recovered by the State, and repurchased, as provided by the laws of this State, and forfeited or that is subject to being forfeited for nonpayment of interest or principal accrued prior to the date of the passage of this Act, and giving a preference right to the owners of such lands or part thereof at any time within ninety (90) days after the date of notice of revaluation of such land to repurchase the same upon the terms and conditions provided in Chapter 94, page 267, Acts of 1925, as amended by Acts of 1926, Thirty-ninth Legislature, First Called Session, page 43, Chapter 25, and providing that any owner or owners of such land may ask that such owner or owners land forfeited as provided by law whether the same is delinquent or not and that he be allowed to repurchase said land at the price placed thereon by a new appraisal; providing for re-appraisement of said land and further providing for the payment of taxes on said land, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Harris of Dickens:

H. B. No. 276, A bill to be entitled "An Act making it unlawful to kill quail in Garza County, Texas; providing the Act shall be in force for a period of two years; repealing all laws in conflict; providing a penalty for the violation of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Harris of Dickens:

H. B. No. 277, A bill to be entitled "An Act providing relief for the Old Glory Rural High Common School District No. 4 of Stonewall County, Texas, in replacing buildings and equipment destroyed by a disastrous fire on December 13th, 1936; making an appropriation for said district to replace said buildings and equipment, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Mann:

H. B. No. 278, A bill to be entitled "An Act prohibiting the employment of a married person who is living with his or her spouse when the spouse of

such person has an independent income of Two Hundred (\$200.00) Dollars or more a month; provided that the State Comptroller shall not issue any warrant to any school district in this State who employs such person in violation of this Act until such employment is discontinued; providing for an affidavit from each person employed in the public school system of this State showing his or her marital status and the income of his or her spouse, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Thornberry and Mr. Jones of Wise:

H. B. No. 279, A bill to be entitled "An Act amending Section 36 of House Bill No. 521 of the Regular Session of the Forty-fourth Legislature so as to appropriate all fees collected thereunder for the use of the Secretary of State in enforcing said bill, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Lucas:

H. B. No. 280, A bill to be entitled "An Act authorizing, empowering and directing the Board of County and District Road Indebtedness created by Chapter 13, Articles 6674Q-1 et seq., Acts of the Third Called Session of the Forty-second Legislature, to make allowance to Henderson County, Texas, as a credit upon its outstanding road indebtedness of the amount of \$60,-669.56 and to increase the state aid effective as of January 1st, 1933, to Henderson County, Texas, to make payment of such allowance, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Jones of Wise and Mr. Hyder:

H. B. No. 281, A bill to be entitled "An Act making an appropriation of Ten Thousand (\$10,000.00) Dollars to be used by the Attorney General for the purpose of paying costs and expenses in defending and sustaining the validity and constitutionality of Chapter 400, Acts, First Called Session, Forty-fourth Legislature, which is an Act imposing a graduated flat rate tax on Chain Stores, and to pay costs and expenses incurred by the Attorney General in the State or Federal Courts in the matter of the prosecution of suits

for the enforcement of the collection of the taxes imposed by this law, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Mays and Mr. Harper:

H. B. No. 282, A bill to be entitled "An Act creating the Special Fifth District Court of Marion County and Cass County, Texas; prescribing its jurisdiction; limiting its existence; fixing its terms; providing for the appointment of a Judge thereof, fixing his compensation, making an appropriation for same; prescribing its powers and duties; providing for the transfer of certain cases from the Fifth Judicial Court and the Seventy-sixth Judicial Court to said Special Fifth District Court, and from said Special District Court to the Court of the Fifth Judicial District and to the Court of the Seventy-sixth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said court, making an appropriation for his salary; providing for the district clerks of Cass County and Marion County and their successors in office to be the clerks for the said Special Fifth District Court in their respective counties; providing a seal for said Special Fifth District Court; repealing all laws in conflict; providing that the provisions of this Act are severable, and declaring an emergency."

Referred to the Committee on Judicial Districts.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Lankford:

H. J. R. No. 27, Proposing an amendment to Article VI, Section 2 of the Constitution of the State of Texas, abolishing the poll tax as a prerequisite to a franchise and installing in lieu thereof a registration system; providing for an election on the question of adoption or rejection of such an amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Rutta, Mr. Herzik, Mr. Mann, Mr. Jones of Falls, Mr. Hartzog, Mr. James, Mr. Mauritz, Mr. Dickison, Mr. Fuchs, Mr. Boethel, Mr. Schuenemann, Mr. Baker, Mr. Bell, Mr. Leyendecker, Mr. McKee, Mr. Davis of Haskell, Mr. Newton, Mr. Felty, Mr. Holland, Mr. Celaya, Mr. Vale, Mr. Fox, Mr. Thornton, Mr. Colquitt, Mr. Hyder, Mr. Reader, Mr. Nicholson, Mr. Hanna, Mr. Morse, Mr. Carssow, Mr. Johnson of Ellis and Mr. McCracken:

H. J. R. No. 28, Proposing to amend the Constitution of the State of Texas so as to permit the furnishing of State official text books free to every child of scholastic age, attending any school within the State.

Referred to the Committee on Constitutional Amendments.

#### EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

We extend our sincere thanks for the lovely floral offering for our beloved Father, Dr. A. Crossley.

Andrew L. Crossley,  
Mr. and Mrs. O. D. Johnson.

#### ADDITIONAL SIGNERS OF BILLS AND RESOLUTION

By unanimous consent of the House, the following Members were authorized to sign bills and resolution, as co-authors of same, as follows:

Mr. Knetsch, House Bill No. 168.

Mr. Rhodes, House Bill Nos. 179, 180 and 218.

Mr. Newton, House Bills Nos. 119 and 130.

Mr. Carssow, House Bill No. 202.

Mr. Harper, House Bill No. 252.

Mr. Patterson of Mills, House Bill No. 10.

Mr. Davis of Jasper, House Concurrent Resolution No. 10.

Mr. Bell, House Bill No. 2.

Mr. McDonald, House Bill No. 227.

Mr. Talbert, House Bill No. 10.

Mr. Oliver, House Bill No. 10.

Mr. Bond, Mr. Hartzog, Mr. Harris of Archer, Mr. Alexander, Mr. John-

son of Tarrant, Mr. Baker, Mr. Morris, Mr. Worley, Mr. McFarland, Mr. Davis of Haskell, Mr. Hardin, Mr. Adkins, Mr. Dean, Mr. McKee, Mr. Knetsch, Mr. Brown, Mr. Wood, Mr. Walker, Mr. McKinney, Mr. Davison of Fisher, Mr. Hankamer, Mr. Harris of Dallas, Mr. London, Mr. Leonard, Mr. Morse, Mr. Smith of Hopkins, Mr. Little, Mr. Thornton, Mr. Hoskins, Mr. Jones of Atascosa, Mr. Hanna, Mr. Fielden, Mr. Colquitt, Mr. Harrell, Mr. Mauritz, Mr. Boyer, Mr. Stevenson, Mr. Shell, Mr. Cathey, Mr. Mays, Mr. Nicholson, Mr. Hyder, Mr. Kenyon, Mr. Bridgers, Mr. Leath and Mr. Deglandon, House Bill No. 9.

#### RELATIVE TO HOUSE BILL NO. 255

By unanimous consent of the House, Mr. Little was authorized to withdraw his name from House Bill No. 255, as co-author of same.

#### MESSAGE FROM THE SENATE

Austin, Texas, January 26, 1937.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 93, A bill to be entitled "An Act making it lawful for the commissioners' court of Comal County to pay out of the general fund of such county bounties for the destruction of predatory animals, providing that on petition of one hundred freeholders the commissioners' court of such county may provide amount of bounty and method of proof to entitle claimant to obtain such bounty, and prescribing manner of payment, and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act amending Article 1041, Title 15, Code of Criminal Procedure, revision of 1925, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### CONCERNING BLOCK PICTURE OF MEMBERS

The Speaker announced the appointment of the following committee to select a photographer to make the block picture of the Members of the House of Representatives of the Forty-fifth Legislature: Mr. Fuchs, Mr.

James, Mr. Hull, Mr. Westbrook and Mr. Harris of Archer.

#### RELATIVE TO ESTABLISHMENT OF COTTON RESEARCH INSTITUTE

Mr. Keefe offered the following resolution:

Whereas, There has been established by the United States Department of Agriculture several regional institutions for scientific research relating to various agricultural products; and

Whereas, There will be government funds available for the establishment of other such agricultural research institutions; and

Whereas, It is of paramount importance to the interests of the South's greatest agricultural enterprise that such a program of research be instituted for the primary purpose of finding new industrial uses for cotton and cotton by-products; and

Whereas, A resolution was passed by the Southern Chemurgic Conference assembled in Lafayette, Louisiana, on the 16th day of October, 1936, that the United States Department of Agriculture be requested to immediately institute a thorough investigation and comprehensive survey having for its definite objective the establishment, at as early a date as possible, of a Cotton Research Institute in the Southern Cotton Belt; be it

Resolved by the House of Representatives of the State of Texas, That the Department of Agriculture of the United States be urged to establish in the greatest cotton state in the Union a Cotton Research Institute as a central laboratory, to pursue and supervise experimental programs of research throughout the Southern Cotton Belt, and to collect and correlate the findings of all such experiments and developments, to the end that the cotton farmers of the South may receive increased profits from their greatest agricultural product; and, be it further

Resolved, That copies of this resolution be sent to the Secretary of Agriculture and to the United States Senators and Representatives from Texas.

KEEFE,  
ALSUP,  
MOFFETT.

The resolution was read second time, and was adopted.

#### RELATIVE TO SALARIES OF CERTAIN EMPLOYEES

Mr. Herzik offered the following resolution:

Whereas, It comes to our attention that the Assistant Sergeants-at-Arms' salaries are lower by One (\$1.00) Dollar per day than they were during the last Called Session of the Forty-fourth Legislature; see House Journal, Third Called Session, September twenty-ninth, page twenty-three, line thirty-six; and

Whereas, Most of the House employees' salaries have been raised in this Session on the plea of the high cost of living. The cost of living of the Assistant Sergeants-at-Arms is as high as that of other employees, and, in this instance, higher because most of them are married men with families; and

Whereas, The Senate of Texas is paying their Assistant Sergeants-at-Arms Five (\$5.00) Dollars per day, and they have no more work than the Assistant Sergeants-at-Arms of the House; and

Whereas, They are on regular duty from eight o'clock to five o'clock during the day and often on duty at night when we have public hearing on bills; and

Whereas, The work of the Assistant Sergeants-at-Arms requires men of good, sound and cool judgment and perfect gentlemen to handle the House Members, employees and general public at large without offending anyone; therefore, be it

Resolved, That the pay of the Assistant Sergeants-at-Arms of the House be, and is hereby set, at Five (\$5.00) Dollars per day as it was in the last Called Session of the Forty-fourth Legislature.

The resolution was read second time.

Mr. Farmer offered the following amendment to the resolution:

Amend the resolution by adding thereto. "Proofreading Clerks to receive \$5.00 per day."

The amendment was adopted.

Mr. Bradford offered the following amendment to the resolution:

Amend the resolution by inserting the following: "That the night-watchmen be paid three dollars per day."

Mr. Wood moved that the resolution be referred to the Committee on Contingent Expenses.

Mr. Farmer moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on Contingent Expenses, it prevailed.

**TO PROVIDE FOR CERTAIN COMMITTEE IN REGARD TO REDISTRICTING THE STATE FOR DISTRICT COURT PURPOSES**

Mr. Petsch offered the following resolution:

Whereas, It is self-evident to all persons who have made a study of the judicial system of Texas in so far as it relates to the existing district courts, that the Legislature has provided possibly fifteen more of such courts than are needed for the administration of the laws of this State; and

Whereas, Each of such courts are costing the State taxpayers approximately Ten Thousand (\$10,000.00) Dollars per year; and

Whereas, There is at this time pending in the Legislature of Texas a bill which proposes to increase the salary of the district judges of this State to the amount of Two Thousand (\$2,000.00) Dollars per annum and such increase will require approximately Five Hundred Thousand (\$500,000.00) Dollars of additional appropriation for every biennial; and

Whereas, The burden of financing the operation of the State Government is at this time a task of extraordinary difficulty; and

Whereas, It is manifestly the duty of the Legislature of Texas to eliminate all unnecessary governmental expenditures; and

Whereas, It devolves upon the Committee on Judicial Districts to examine all bills and resolutions relating to the matter of establishing additional courts, and such committee has been heretofore appointed and is now operating; and

Whereas, It is self-evident that a judicial redistricting bill should be drawn and passed by the Legislature of the State of Texas; and

Whereas, It is unpracticable to assign such duty to the said committee as a whole on account of its large size; and

Whereas, Such work can be more effectively accomplished by a committee of three Members of the Legislature; now, therefore, be it

Resolved, That a committee of three Members of the House of Representatives be appointed by the Speaker from the membership of the Committee on Judicial Districts, who shall be charged with the duty of investigating the facts and preparing a bill redistricting the State for district court purposes; and, be it further

Resolved, That such committee be authorized to employ such help and assistance as may in the opinion of the committee be necessary to ascertain the facts required for the committee in order to secure the necessary data required for the drawing of a bill redistricting the State for district court purposes and that all expenses of such committee be paid out of the Contingent Funds of the House of Representatives on vouchers duly signed by the Speaker of the House; and, be it further

Resolved, That such sub-committee be instructed to report to the House of Representatives within thirty days after the passage of this resolution; and, be it further

Resolved, That consideration of the bill before the Legislature proposing to raise the salary of the District Judges as aforementioned be postponed until the Legislature has received from the aforementioned committee its bill or recommendations for redistricting the State of Texas for district court purposes.

PETSCH,  
AMOS,  
JONES of Wise,  
KNETSCH,  
LEONARD,  
BROWN.

The resolution was read second time.

On motion of Mr. Harris of Dallas, the resolution was referred to the Committee on Judicial Districts.

**EXTENDING SYMPATHY OF THE HOUSE**

Mr. Jones of Wise offered the following resolution:

Whereas, Our fellow Member, the Hon. Penrose B. Metcalfe, is ill in the Seton Infirmary in Austin, Texas; now, therefore, be it

Resolved by the House of Representatives, That we regret the illness of this distinguished Member and extend



our sincere wishes for his speedy recovery.

JONES of Wise,  
THORNBERRY,  
THORNTON,  
ROARK,  
MORRIS.

The resolution was read second time.

On motion of Mr. Leonard, the name of Mr. Stinson was included in the resolution.

On motion of Mr. McKee, the name of Mr. Westbrook was included in the resolution.

On motion of Mr. Harris of Dallas, the name of Messrs. Hanna and Blankenship were included in the resolution.

On motion of Mr. Harrell, the name of Mr. Broadfoot was included in the resolution.

On the motion of Mr. Thornton, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

#### RELATIVE TO CERTAIN CONTRIBUTIONS

Mr. Howard offered the following resolution:

Whereas, Many, many times during the session petitions are circulated asking Members of the House to contribute various and sundry sums; and

Whereas, This practice has continued until it has become a nuisance; now, therefore, be it

Resolved by the House of Representatives, That no petitions requesting contributions from Members be circulated this session, and that the matter of making contributions to any cause be left to the individual Members.

HOWARD,  
PETSCH.

The resolution was read second time, and was adopted.

#### TO PROVIDE FOR COMMITTEE TO MAKE CERTAIN INVESTIGATION IN REGARD TO OFFICE SPACE FOR STATE DEPARTMENTS

Mr. Settle offered the following resolution:

Whereas, The various departments and commissions of the State of Texas

have become crowded for space in which to carry out their duties; and

Whereas, The State has been forced to rent additional space for these departments and commissions in buildings in Austin which greatly increases the cost of operation of these departments and commissions; and

Whereas, There is additional space in the Texas Confederate Veterans Home which is not in use at present and the conversion of this additional room into office space would be a great saving to the State of Texas; now, therefore, be it

Resolved, That the Speaker appoint a committee of three Members to investigate the feasibility of converting the unused portion of the Texas Confederate Veterans Home into office space.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee: Mr. Settle, Mr. James and Mr. Johnson of Ellis.

#### HOUSE BILL NO. 65 ON SECOND READING

On motion of Mr. Thornton, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended at this time, for the purpose of considering House Bill No. 65.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 65, A bill to be entitled "An Act making an appropriation of Nine Thousand (\$9,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to the State Tax Board to pay the expenses of the supervisory staff of the State-Wide Tax Survey now being conducted in this State as a Works Progress Administration project, as approved by House Concurrent Resolution No. 5, passed by the First Called Session of the Forty-fourth Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 65 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 65 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—117

Adkins	Keefe
Alexander	Kenyon
Alsup	Kern
Amos	King
Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lanning
Boethel	Leath
Bond	Leyendecker
Boyer	Little
Bradbury	London
Bradford	Lucas
Bridgers	Mann
Brown	Mauritz
Burton	Mays
Cagle	McConnell
Callan	McDonald
Carssow	McFarland
Cathey	McKee
Cleveland	Moffett
Colquitt	Monkhouse
Davis of Haskell	Morris
Davis of Jasper	Morse
Davison of Fisher	Newton
Dean	Oliver
Deglandon	Patterson of Mills
Derden	Patterson
Dickison	of Travis
Dollins	Petsch
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Ragsdale
Fox	Reader
Hamilton	Rhodes
Hankamer	Riddle
Harbin	Roark
Harper	Ross
Harris of Archer	Russell
Harris of Dallas	Rutta
Harris of Dickens	Settle
Hartzog	Sewell
Heflin	Sharpe
Holland	Shell
Howard	Simpson
Hull	Skaggs
Hyder	Smith of Hopkins
Jackson	Smith
James	of Matagorda
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tarwater
Jones of Atascosa	Tennant
Jones of Falls	Tennyson
Jones of Wise	Thornberry

Thornton  
Vale  
Waggoner  
Walker

Weldon  
Winfree  
Wood  
Worley

## Nays—4

Hardin  
Harrell

Huddleston  
Reed of Bowie

## Absent

Davisson	McCracken
of Eastland	McKinney
Fuchs	Nicholson
Gibson	Palmer
Herzik	Pope
Hoskins	Schuenemann
Leonard	Smith of Tarrant
Loggins	Stevenson

## Absent-Excused

Blankenship	Keith
Broadfoot	Kelt
Celaya	Metcalfe
Graves	Reed of Dallas
Hanna	Stinson
Jones of Angelina	Westbrook

The Speaker then laid House Bill No. 65 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—118

Adkins	Dickison
Alexander	Dollins
Alsup	England
Amos	Farmer
Baker	Felty
Bates	Fielden
Beckworth	Fox
Bell	Gibson
Boethel	Hamilton
Boyer	Hankamer
Bradbury	Harbin
Bradford	Harper
Bridgers	Harris of Archer
Brown	Harris of Dallas
Burton	Harris of Dickens
Cagle	Hartzog
Callan	Heflin
Carssow	Holland
Cathey	Howard
Cleveland	Hull
Colquitt	Hyder
Davis of Haskell	Jackson
Davis of Jasper	James
Davisson	Johnson of Ellis
of Eastland	Johnson
Davison of Fisher	of Tarrant
Dean	Jones of Atascosa
Deglandon	Jones of Falls
Derden	Jones of Wise

Keefe	Powell
Kenyon	Prescott
Kern	Quinn
King	Ragsdale
Knetsch	Rhodes
Langdon	Riddle
Lankford	Roark
Lanning	Ross
Leath	Russell
Leyendecker	Rutta
Little	Settle
Loggins	Sewell
London	Sharpe
Lucas	Shell
Mann	Simpson
Mauritz	Skaggs
Mays	Smith of Hopkins
McConnell	Smith
McDonald	of Matagorda
McFarland	Talbert
McKee	Tarwater
Moffett	Tennant
Monkhouse	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Oliver	Waggoner
Palmer	Walker
Patterson of Mills	Weldon
Patterson	Winfree
of Travis	Wood
Petsch	Worley

## Nays—4

Hardin	Huddleston
Harrell	Reed of Bowie

## Absent

Bond	Nicholson
Fuchs	Pope
Herzik	Reader
Hoskins	Schuenemann
Leonard	Smith of Tarrant
McCracken	Stevenson
McKinney	Stocks

## Absent-Excused

Blankenship	Keith
Broadfoot	Kelt
Celaya	Metcalfe
Graves	Reed of Dallas
Hanna	Stinson
Jones of Angelina	Westbrook

Mr. Thornton moved to reconsider the vote by which House Bill No. 65 was passed, and to table the motion to reconsider.

The motion to table prevailed.

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid be-

fore the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 93, to the Committee on Counties.

Senate Bill No. 101, to the Committee on Counties.

## ADJOURNMENT

On motion of Mr. Riddle, the House at 11:25 o'clock a. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bills Nos. 100, 101, 174 and 238; Senate Bill No. 54.

Game and Fisheries: House Bill No. 218.

The Committee on Judicial Districts filed a favorable report on resolution, offered by Mr. Petsch, in regard to redistricting for District Court purposes.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, January 26, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 65, A bill to be entitled "An Act making an appropriation of Nine Thousand (\$9,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to the State Tax Board to pay the expenses of the supervisory staff of the State-Wide Tax Survey now being conducted in this State as a Works Progress Administration project, as approved by House Concurrent Resolution No. 5, passed by the First Called Session of the Forty-fourth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HARTZOG, Acting Chairman.

**In Memory of**  
**Hon. Lightfoot L. Rhodes**

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Mr. Weldon offered the following resolution:

Whereas, On the 18th., day of December, 1936, the Diivne Providence called from the ranks of the mortal, one of our pioneer statesmen, the Hon. Lightfoot L. Rhodes, of Grand Saline, Texas; and

Whereas, The Hon. Lightfoot L. Rhodes served with distinction in the Twenty-fourth Legislature of Texas, beginning his service under the administration of the first native Governor of Texas, the great James Stephen Hogg; and

Whereas, He was a patriotic, benevolent and public minded citizen who until the latest hours of his life, had a deep abiding interest in the welfare of his community, county and state; and

Whereas, He was esteemed, honored and loved by those who knew him; and

Whereas, His services were such that his influence will be remembered and his life will be an inspiration long after the flowers have come to bloom over his grave; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members thereof regret exceedingly, the departure of this good man, and deeply sympathize with his bereaved loved ones; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today, in memory of the deceased; and, be it further

Resolved, That when the House adjourns today that it do so in respect and in memory of this brilliant statesman; and, be it further

Resolved, That the Chief Clerk of the House send to the relatives of the deceased, copies of this resolution, and that a copy be given to our fellow Member, the Hon. Cecil T. Rhodes, a nephew of the deceased.

The resolution was read second time, and was adopted.

## In Memory of The Honorable Ed R. Sinks

Mr. James offered the following resolution:

Whereas, The Great Master of the Universe called from the walks of man the Honorable Ed R. Sinks, of Giddings, Texas; and

Whereas, The Honorable Ed R. Sinks was an outstanding citizen of Texas, whose every act and walk in life radiated sunshine and pleasant association, bringing to him a great number of friends in the State of Texas; and

Whereas, The deceased was a man possessing most lovable, admirable personalities and splendid traits of character; and

Whereas, He was a staunch Democrat, always upheld Democratic principles loyally and without mental reservation or secret evasion of mind; and

Whereas, In the passing of this distinguished gentleman his community has lost a beautiful and shining character, his State a loyal citizen, and the public at large a true and unquestioned friend; and

Whereas, The deceased was one of the best known lawyers in the State of Texas; and

Whereas, The deceased served with distinction in the Thirty-ninth, Fortieth and Forty-first Legislatures of Texas; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members thereof regret exceedingly the untimely passing of this worthy man, and deeply sympathize with his bereaved family; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today, in memory of the deceased; and, be it further

Resolved, That when the House adjourns today it do so in respect and in memory of this illustrious statesman; and, be it further

Resolved, That the Chief Clerk of the House send to the family of the deceased, at Giddings, Texas, a copy of this resolution, under the seal of the House of Representatives.

JAMES,  
STEVENSON,  
MORSE.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Petsch, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

**In Memory of**  
**Mrs. Joe Hill**

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Mr. Tennant offered the following resolution:

Whereas, Honorable Joe Hill, a Member of the Senate of Texas has recently suffered grievous loss of his loving mother, Mrs. Joe Hill, whose funeral he is now attending; and

Whereas, We feel deeply for him in his hour of bereavement; now, therefore, be it

Resolved by the House, That we extend our deepest sympathies to Senator Hill and his family; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send suitable flowers to the funeral of Mrs. Hill.

The resolution was read second time, and was adopted.